

13.12.788 – Lien rights

- A. Whenever a bill for sewer service, including any charge, penalty or fine pursuant to this chapter, remains unpaid sixty days after it has been rendered, the City Attorney shall file with the Recorder of Deeds of the appropriate county a statement of lien claim. This statement shall contain a legal description of the premises served, the amount of the unpaid bill, and a notice that the City claims a lien for such amount as well as for all charges for sewer service subsequent to the period covered by the bill.
- B. If the customer whose bill is unpaid is not the owner of the premises, the City Clerk shall notify the owner of the premises if his address is known to the Clerk, whenever such bill remains unpaid for a period of ninety days after it has been rendered.
- C. The failure of the City Attorney to record such lien claim or to mail such notice, or the failure of the owner to receive such notice shall not affect the right to foreclose the lien for unpaid sewer bills mentioned in subsection D of this Section.
- D. Property subject to a lien for unpaid sewer service charges shall be sold for nonpayment of the same, and the proceeds of the sale shall be applied to pay the charges, after deducting costs as is the case in the foreclosure of statutory liens. Such foreclosure shall be by bill in equity or other appropriate proceeding in the name of the City. The City Attorney is authorized and directed to institute such proceedings in the name of the City in any court having jurisdiction over such matters against any property for which the bill for sewer service has remained unpaid ninety days after it has been rendered.